

**MINUTES OF THE  
EXECUTIVE OFFICES & CRIMINAL JUSTICE  
JOINT APPROPRIATIONS SUBCOMMITTEE  
ROOM W015, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX  
February 6, 2006**

**Members Present:** Sen. David L. Thomas, Co-Chair  
Rep. David L. Hogue, Co-Chair  
Sen. Brent Goodfellow  
Sen. Darin Peterson  
Rep. Douglas C. Aagard  
Rep. Eric K. Hutchings  
Rep. Brad King  
Rep. Curtis Oda  
Rep. Mark W. Walker  
Rep. Larry B. Wiley

**Staff Present:** Gary Ricks, Fiscal Analyst  
Derek Byrne, Fiscal Analyst  
Carrie Griffith, Committee Secretary

**Note:** A list of visitors and a copy of handouts are filed with the committee minutes.

Sen. Thomas called the meeting to order at 2:14 p.m.

Sen. Thomas described how the EOCJ Priority List was produced and how the final voting process would take place during the meeting.

Rep. Hogue made the following two motions, mentioning that these items would not affect the building block base budgets but were to make sure the budgets were adopted in the proper manner.

**MOTION:** Rep. Hogue moved to adopt the base budget for all agencies and programs including changes and adjustments made by the Subcommittee during meetings held during the 2006 General Session within the Executive Offices and Criminal Justice Appropriations Subcommittee. The motion passed unanimously.

**MOTION:** Rep. Hogue moved to adopt the amounts transferred from the Governor's Office of Economic Development to the Governor's Office of Planning and Budget as follows: \$25,000 General Fund Supplemental and \$50,000 General Fund Ongoing to pay for the transfer of the position of one Economist. The motion passed unanimously.

Sen. Thomas mentioned that "dedicated credits," don't come from the ongoing money allotted

the committee but they come out of other funds. Questions were raised by committee members regarding voting for items on the list and if there was a Federal Government match in funding some of those items.

A copy of a two-page handout titled "EOCJ Priority List" is attached. The 'dedicated credits' are referred to under the heading "Funded with Other Funding Source." The Ongoing Priorities are listed on page one and the One-Time Supplemental Priorities are listed on page two. Most of the following motions were made using this handout. It should be referred to for ease in understanding the motions.

MOTION: Sen. Goodfellow moved that #23, "**HB 149 Law Enforcement Task Force Funding for \$1,000,000,**" be moved from the Ongoing List to #23 on the One-Time List. The motion passed unanimously.

Sen. Peterson distributed a handout titled "Recommended Consolidation Line Item - JJS," and briefly explained it to the committee. The following motion was made using the handout, consolidating both motions into one:

MOTION: Sen. Peterson moved that a **Youth Parole Authority program** be established in the Juvenile Justice Services Programs and Operations line item; *and* Sen. Peterson moved that the committee shift \$298,400 from the Youth Parole Authority line item to the Juvenile Justice Services Programs and Operations line item and that the Youth Parole Authority line item be eliminated. The motion passed unanimously.

MOTION: Sen. Peterson moved, on the Ongoing List, to **approve Priorities #1-8** as final priorities.

#### SUBSTITUTE

MOTION: Rep. Hutchings moved, on the Ongoing List, to **approve #1, 2, 6, 7, 8; and delete # 3, 4 and 5.** The motion failed, with Sen. Thomas, Sen. Goodfellow, Sen. Peterson, Rep. Aagard, Rep. King, Rep. Oda, Rep. Wiley, and Rep. Hogue voting in opposition.

#### SUBSTITUTE

MOTION: Sen. Goodfellow moved, on the Ongoing List, to **approve #1-8, plus all those items with dedicated credits, only up to the dedicated credit amount.** The motion passed unanimously.

MOTION: Sen. Goodfellow moved, on the One-Time List, to **approve recommended funding for those projects which have dedicated credits out of the column**

**'other funded sources,' and that #1-23 on the list be adopted.**

Michael Cragun, Deputy Director Lt. Governor's Office, assisted by Sandy Naegle, Budget and Accounting Officer, Governor's Office, responded to questions raised by committee members concerning HAVA Election Machine funding.

SUBSTITUTE

MOTION: Rep. Hogue moved to make the **same motion as above, but that #18, "Hava Election Machine Supplemental" become #23.** The line items below #18 would each move up, in the appropriate order. The motion failed, with Sen. Thomas, Sen. Peterson, Rep. Aagard, and Rep. Oda voting in opposition.

SUBSTITUTE

MOTION: Rep. Aagard moved, on the One-Time List, to **switch places with HAVA and the Western States Primary, so HAVA would become #10 and Western States Primary would become #18.** The motion passed, with Rep. Hogue and Rep. Wiley voting in opposition.

MOTION: Rep. Aagard moved, on the One-Time List, to place **# 20 Public Safety Helicopter Engine Repair FY2006 (#20) up to the #13 slot**, adjusting the list accordingly from that point. The motion passed, with Sen. Thomas voting in opposition. Rep. Hutchings was absent for the vote.

Rick Wyss, Chief Administrative Officer, answered questions raised by committee members concerning helicopter service and repair.

Rep. Hogue mentioned that although the handout states the Helicopter Engine Repair would take place in FY 2007, it would actually be in FY 2006, as stated in the motion made above by Rep. Aagard.

MOTION: Sen. Peterson moved, on the Ongoing List, to place **#26, Courts District Court Law Clerks, up to the #9 position**, and adjust the list accordingly from that point. The motion passed unanimously. Rep. Hutchings was absent for the vote.

MOTION: Rep. Oda moved, on the Ongoing List, to place **#33, MIS Radio Interoperability, to slot #10.**

SUBSTITUTE

MOTION: Rep. Aagard moved, on the Ongoing List, to place **#27 Board of Pardons Two Hearing Officers and One Office Specialist, up to the #11 position**, which is currently occupied by the Crime Lab. The motion passed, with Sen. Thomas

voting in opposition. Rep. Hutchings was absent for the vote.

MOTION: Rep. Oda moved, on the Ongoing List, to place **#33, Public Safety, MIS Radio Interoperability, up to the #12 position**, in front of the new #12 position, which is currently occupied by the Crime Lab. The motion failed, with Sen. Goodfellow, Sen. Peterson, Sen. Thomas, Rep. Hogue, Rep. King, and Rep. Wiley voting in opposition. Rep. Hutchings was absent for the vote.

MOTION: Rep. Walker moved, on the Ongoing List, to place **#13, Corrections Sex Offender Registration, up to the #9 position**, moving ahead of District Law Clerks. The motion failed, with Rep. Walker voting in the affirmative. Rep. Hutchings was absent for the vote.

MOTION: Rep. King moved to **adopt both the Ongoing and the One-time Lists as currently amended and submit it to Executive Appropriations**. The motion passed, with Rep. Wiley voting in opposition. Rep. Hutchings was absent for the vote.

Sen. Thomas asked the Analysts to update the lists in accordance with the motions that have been made and email the new information to all the committee members.

MOTION: Rep. Oda moved to **include intent language** as follows: "The Legislature intends that the appropriation of \$2,900,000 to the Lt. Governor's Office be invested with the Public Treasurer's Investment Fund and allowed to accrue interest to the account until payment is made for the Voting System Solution extended warranty in Fiscal Year 2010.

#### SUBSTITUTE

MOTION: Rep. Hogue moved to leave out **"of \$2,900,000"** from the language of the above motion. The motion passed, with Sen. Peterson voting in opposition. Rep. Hutchings was absent for the vote.

Committee members requested that staff include the potential funding match from Federal funds when sending the lists to Executive Appropriations.

The Chairs, staff, and committee members were thanked for the hard work done in behalf of the agencies. The agencies were also thanked for the support given and information provided the committee.

Rep. Oda asked for clarification pertaining to the Public Safety UHP laptops One-time request for \$400,000. In a previous meeting, the laptop request had been changed to \$750,000, and

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Rep. Oda wondered why it didn't show that amount. Sen. Thomas explained the amount had been changed back to \$400,000, each year, for a 3-year period.

MOTION: Rep. Walker moved to adjourn. The motion passed unanimously, with Rep. Hutchings absent for the vote.

Sen. Thomas adjourned the meeting at 3:08 p.m.

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Sen. David. L. Thomas, Co-Chair

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Rep. David L. Hogue, Co-Chair

## HANDOUT

### EOCJ Priority List

Average Priority Rank	Agency	Building Block Request	Priority Amount	Personal Re- Ranking	Funding With Other Funding Source	Running GF Total
1	Corrections	CUCF Funding	\$ 4,106,400			\$ 4,106,400
2	Public Safety	Overtime Funding	\$ 1,300,000			\$ 5,406,400
3	Corrections	Jail Reimbursement Growth	\$ 4,259,700			\$ 9,666,100
4	GAL	Guardian ad Litem (GAL) FTE Increase	\$ 1,366,400			\$ 11,032,500
5	DJJS	Targeted Case Mgt. Ongoing	\$ 1,666,200			\$ 12,698,700
6	Courts	Contracts and Leases	\$ 882,500		\$ (300,000)	\$ 13,581,200
7	Public Safety	Lease Increases FY07	\$ 168,100			\$ 13,749,300
8	Public Safety	Larry H. Miller O & M	\$ 874,300			\$ 14,623,600
9	Courts	3rd District Juvenile Court Judge and Staff	\$ 257,500			\$ 14,881,100
10	Public Safety	Crime Lab	\$ 300,000			\$ 15,181,100
11	Courts	Expand Drug Courts	\$ 221,000		\$ 221,000	\$ 15,181,100
12	Auditor	1 Auditor	\$ 80,000			\$ 15,261,100
13	Corrections	Sex Offender Registration	\$ 470,000			\$ 15,731,100
14	AG	Child Protection Attorney	\$ 64,200		\$ 42,800	\$ 15,795,300
15	Corrections	Core rate change	\$ 658,700			\$ 16,454,000
16	Corrections/CCJJ	Crime Victims Reparation Fund Replacement	\$ 750,000			\$ 17,204,000
17	Courts	3rd District Commissioner	\$ 202,300			\$ 17,406,300
18	AG	Medicaid Fraud Investigator	\$ 72,500		\$ 72,500	\$ 17,406,300
19	AG	Children's Justice Center Provider Inc.	\$ 31,800			\$ 17,438,100
20	AG	Criminal Appeals Attorney	\$ 86,200			\$ 17,524,300
21	AG	ID Theft Investigators	\$ 73,100			\$ 17,597,400
22	DJJS	Replace Federal Funds for Utah County After Care	\$ 330,000			\$ 17,927,400
23	HB 149	Law Enforcement Task Force Funding	\$ 1,000,000			\$ 18,927,400
24	DJJS	Caseload Growth--WA and Iron Co.	\$ 66,000			\$ 18,993,400
25	DJJS	Replace Restitution Restricted with GF	\$ 820,200			\$ 19,813,600
26	Courts	District Court Law Clerks	\$ 327,700			\$ 20,141,300
27	Board of Pardons	2 Hearing Officers and 1 Office Specialist	\$ 198,100			\$ 20,339,400
28	HB 146	Public Safety Dispatcher Retirement	\$ 219,600		\$ 48,200	\$ 20,559,000
29	Public Safety	BCI Customer Services/Backgrounds	\$ 386,000		\$ 386,000	\$ 20,559,000
30	HB 170	Prosecution of Child Pornography Offenses Amendments	\$ 2,500,000			\$ 23,059,000
31	Corrections	Sex Offender Treatment	\$ 650,000			\$ 23,709,000
32	DJJS	Replace JABG Federal Funds	\$ 398,400			\$ 24,107,400
33	Public Safety	MIS Radio Interoperability	\$ 650,000			\$ 24,757,400
34	Governor	Lt. Governor Annexation Officer	\$ 71,000			\$ 24,828,400
35	Courts	4th District Court Judge and Staff	\$ 257,500			\$ 25,085,900
36	Courts	Child Welfare Mediator	\$ 75,800			\$ 25,161,700
37	AG	State Records Attorney (.5 FTE) SB 15	\$ 27,500			\$ 25,189,200
38	DJJS	Local Provider COLA	\$ 382,700			\$ 25,571,900
39	Governor	Emergency Funds Replacement FY06	\$ 100,000			\$ 25,671,900
40	Auditor	6% Increase for State Auditor	\$ 6,300			\$ 25,678,200
41	Courts	Law Library	\$ 81,300			\$ 25,759,500
42	Courts	Juror/Witness/Interpreter Fees	\$ 150,000			\$ 25,909,500
43	Public Safety	Fire Marshal Part-Time Deputy (RF)	\$ 19,000		\$ 19,000	\$ 25,909,500
44	Courts	Bailiff Services (RF)	\$ 170,000		\$ 170,000	\$ 25,909,500
45	Courts	Online Court Assistance Increase (RF)	\$ 25,000		\$ 25,000	\$ 25,909,500
46	DJJS	DJJS Dixie Area Detention	\$ 597,000			\$ 26,506,500
47	Governor	CCJJ Switch in Funding	\$ 200,000			\$ 26,706,500
48	Governor	Crime Victims Fund Technician	\$ 50,100		\$ 50,100	\$ 26,706,500
49	Public Safety	Fire Marshal Special Deputy Contracts (RF)	\$ 11,500		\$ 11,500	\$ 26,706,500
50	Public Safety	Fire Marshal Secretary (RF)	\$ 25,400		\$ 25,400	\$ 26,706,500
<b>Totals</b>			<b>\$ 27,687,000</b>		<b>\$ 850,500</b>	
Corrections Correctional Officers Increase			\$ 3,614,400		EAC Determination	

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EOCJ One-time Priority List

Key	Red= FY06 Supplemental Request
	Blue = FY07 One-time Request

#	Agency	Building Block Request	Priority Amount	Personal Re-Funded with Other Ranking	Funding Source	One-time Funding Running Total
1	Corrections	CUCF Funding FY07	\$ 172,900			\$ 172,900
2	Public Safety	FY 06 Overtime Funding	\$ 1,300,000			\$ 1,472,900
3	Corrections	FY06 Supplemental-Jail Reimbursement	\$ 3,474,900			\$ 4,947,800
4	DJJS	Targeted Case Mgt. FY06 One-time	\$ 833,100			\$ 5,780,900
5	Courts	Equipment for Court Buildings	\$ 90,000		\$ 90,000	\$ 5,780,900
6	Public Safety	Lease Increases Supplemental	\$ 66,200			\$ 5,847,100
7	Public Safety	Larry H. Miller Furniture and Fixtures FY07 & FY06	\$ 1,496,800			\$ 7,343,900
8	AG	Litigation Settlements and Costs	\$ 1,268,100			\$ 8,612,000
9	Public Safety	UHP Laptops	\$ 400,000			\$ 9,012,000
10	Governor	Western States Primary	\$ 850,000			\$ 9,862,000
11	Governor	Emergency Fund FY06	\$ 100,000			\$ 9,962,000
12	AG	Citizen Communication Program	\$ 150,000			\$ 10,112,000
13	Public Safety	Helicopter Service FY07	\$ 125,400			\$ 10,237,400
14	AG	Child Protection Staff Equipment	\$ 5,300		\$ 5,300	\$ 10,237,400
15	Corrections	Drug Offender Reform Act	\$ 251,000			\$ 10,488,400
16	AG	Medicaid Fraud Investigator Equipment	\$ 17,300		\$ 17,300	\$ 10,488,400
17	Corrections	Vehicles for Sex Offender Enforcement	\$ 75,000			\$ 10,563,400
18	Governor	HAVA Election Machine Supplemental	\$ 2,900,000			\$ 13,463,400
19	Courts	Juror/Witness/Interpreter Fees	\$ 127,600			\$ 13,591,000
20	Public Safety	Helicopter Engine Repair FY07	\$ 269,400			\$ 13,860,400
21	Courts	DORA Pilot Funding	\$ 20,000		\$ 20,000	\$ 13,880,400
22	Courts	Data Processing Replacement	\$ 240,000		\$ 240,000	\$ 13,860,400
Totals			\$ 14,233,000		\$ 372,600	